

# **REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL**

**FEBRUARY 20, 2007**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

## **GOOD & WELFARE**

### **Residential Growth**

**Mr. Michael Bozzi of 269 Old Oxford Road has noticed there has been a push for larger single homes and developments over the past several years. He feels this is putting a strain on schools and municipal services and would like to see a slow down of residential expansion.**

### **Slatersville River Properties Water Assessment**

**Mrs. Claire O'Hara of 16 Summit Avenue recalled a meeting a while ago when this developer appeared before the Council and discussed this project. At that time there was no request for consideration of hook-up fees. This building has gone from a warehouse to 225 apartment units and she hoped the Council would reconsider its vote on the assessment for the water tie-in.**

**February 20, 2007**

## **REGULAR MEETING**

**The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Mr. Keeley, Mr. Leclerc, Mr.**

**Lovett, Mr. Zwolenski and Mrs. Thibault. Town Administrator Lowe was also present. Town Solicitor Hadden was unable to attend.**

## **APPROVAL OF MINUTES**

**MOTION by Mr. Lovett and seconded by Mr. Zwolenski for discussion to approve the minutes of January 16 & February 5 and 8, 2007.**

**On Page 88 Mr. Zwolenski felt there were incorrect figures on the estimated yearly consumption of 150 gallons per apartment and asked the Clerk to check on that.**

**(Upon checking the minutes, the Clerk found that particular paragraph was copied verbatim from Mrs. Thibault's memo to the Council dated January 3, 2007.)**

**On Page 92, the sixth paragraph, Mr. Zwolenski asked the wording to be changed to "In response to a question from Mr. Zwolenski regarding as-built drawings, Mr. Phillips explained that an as-built was requested for this project because there were questions asked about the drainage down the driveway." He also wanted the as-builts compared to the proposed development and the proposed topography.**

**The MOTION was amended by Mr. Lovett and seconded by Mr. Zwolenski to include the corrections made by Mr. Zwolenski. The motion passed 5 to 0.**

## **PAYMENT OF BILLS**

**MOTION by Mr. Lovett, seconded by Mr. Keeley, and voted unanimously on an aye vote to approve payment of the following: General Fund - \$1,271,179.97; Sewer - \$70,896.77; and Water - \$13,820.03 for a total of \$1,355,896.77.**

## **GILBANE BUILDING COMPANY PAYMENT**

**MOTION by Mr. Lovett, seconded by Mr. Keeley, and voted unanimously on an aye vote to approve payment of \$443,889.28 from the bond anticipation notes to Gilbane Building Company for Requisition #6 based upon the recommendations of the School Building Committee and the Finance Director.**

## **RELEASE OF SEWER BOND FOR LIZ DEVELOPMENT PHASE I**

**The Council members were in receipt of letters from Sewer Commission Chair Linda-Jean Briggs, Sewer Superintendent Manuel Alvarez and Richard M. Hencler of James J. Geremia & Associates recommending release of the bond for Phase I as well as Sewer Commission minutes dated September 13, 2006.**

**Both Mr. Leclerc and Mr. Zwolenski found the letter from Geremia & Associates unacceptable. They felt that someone from Geremia personally needed to inspect the work that was done rather than basing their recommendation on information received from the Sewer Superintendent.**

**MOTION by Mr. Zwolenski and seconded by Mr. Leclerc to table this until a letter is received from a registered PE from Geremia & Associates confirming the work is satisfactory.**

**Developer Fernando Tavaréz stated he has been paying the premium on this bond for the six months that this work has been completed.**

**MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote to amend the original motion to authorize the Town Administrator to approve release of the bond pending an inspection done by Geremia and a signed and stamped letter, preferably by Richard Hencler, is received and forwarded to all Council members stating that the work has been completed.**

#### **CONSERVATION COMMISSION MINUTES**

**MOTION by Mr. Lovett, seconded by Mr. Zwolenski and Mr. Keeley, and voted unanimously on an aye vote to accept and place on file the minutes of January 9, 2007.**

**February 20, 2007**

#### **PUBLIC SAFETY COMMISSION MINUTES**

**MOTION by Mr. Lovett, seconded by Mr. Zwolenski and Mr. Keeley, and voted unanimously on an aye vote to accept and place on file the minutes of November 1, 2006 and January 17, 2007.**

## **LIZ DEVELOPMENT**

**Mr. Lowe has had no complaints since the road has been paved and the sewers hooked up.**

**Mr. Tavarez is working on the sewer lateral and will do the final paving in the spring.**

## **ORDINANCE REVIEW COMMITTEE**

**Mr. Lovett asked Town Planner Michael Phillips if he had had a chance to review the draft of the resolution provided by Mr. Hadden.**

**Mr. Phillips has looked at it briefly and thinks it is a good place to start. He would look for more language on qualifications for membership on the committee.**

**Mr. Phillips has also been working with a consultant on other matters and wondered whether the Council would want to extend this person's contract for this committee or go out for an RFP. Mr. Phillips will provide an RFP for the March 19th meeting.**

**Mr. Zwolenski would like the Zoning Official, a Zoning Board member and a Conservation Commission member as voting members of the committee. He also thought the membership should include environmental, financial, engineering, business, design, and architectural professionals as well as a reasonable town resident who**

**is not one of these professionals.**

**MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote to continue this discussion to March 19, 2007.**

## **OUTSIDE WOOD BURNING FURNACES**

**Chief Joel Jillson and the Building Inspector had been charged at a prior meeting to collect data on wood burning furnaces. Chief Jillson provided ordinances from several other communities, some of which allow the furnaces and some do not. From what he has seen, most of them are governed in some way. Chief Jillson felt that enforcement would fall with the Building Inspector's office should the Council choose to move forward with an ordinance.**

**MOTION by Mr. Zwolenski, seconded by Mr. Keeley, and voted unanimously on an aye vote to take a five-minute recess at 7:45 P.M.**

**The meeting resumed at 7:55 P.M.**

**Mr. Paul Wright spoke against regulating the furnaces. He claimed there have been numerous studies on the effects of wood smoke on firefighters. Mr. Wright explained how cold air holds smoke down so the height of the smokestack doesn't really make a difference. He believes the problem started with a dispute between neighbors.**

**Mr. Zwolenski thought the EPA may eventually regulate the amount of particulates that can be emitted.**

**MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote to ask the Town Solicitor if a moratorium can be put in place until the matter can be reviewed.**

**The discussion was continued to March 5, 2007**

### **1ST READING ORDINANCE AMENDMENT RE: REGISTRATION OF BUSINESSES AND PROFESSIONS**

**Mr. Lovett read this ordinance in its entirety which constitutes the first reading. This adds paragraph (d) to Section 11-151 and requires payment of all taxes and assessments prior to issuance of a registration certificate.**

**February 20, 2007**

### **COMMUNICATIONS**

**MOTION by Mr. Lovett, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to place on file the following: A.) NSF&RS Monthly Incident Report for January 2007, B.) Animal Control Monthly Report for January 2007, C.) RIDEM Wetland Applications for Eddie Dowling Highway/Sayles Hill Road and Pound Hill Road/Industrial Drive and D.) Letter of Appreciation Re: NSF&RS Members.**

**MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote to adjourn at 8:27 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**